

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----X
UNITED STATES OF AMERICA

-v-

CHARUDET SMITH,


STIPULATION IN SUPPORT
OF APPLICATION FOR
7TH OR SUBSEQUENT
ORDER OF CONTINUANCE AND
17TH ORDER OF CONTINUANCE

Defendant.

24 Mag. 00551
-----X

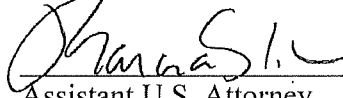
The United States of America and the defendant jointly request and agree that the time period from **5/28/2025** to **6/25/2025** be excluded from the computation of the period within which an information or indictment must be filed, pursuant to Title 18, United States Code, Section 3161(b) and (h)(7). The parties submit that there is good cause for an additional exclusion of time. The defendant is charged with a violation of Title 18, United States Code, Section 2251(a), which carries a mandatory minimum of 15 years' imprisonment. The defendant is out on bail. The parties have been exploring a possible disposition of this case prior to trial. Defense counsel, Isabelle Kirshner, Esq. and Thomas Rotko, Esq., retained a psychiatrist, Dr. Colley, to examine the defendant. Counsel provided Dr. Colley's report to the Government in August 2024. After reviewing the report, the Government concluded that it would be worthwhile to have a second psychiatrist examine the defendant and prepare a report with respect to the defendant's competency. On September 11, 2024, with the consent of the parties, the Honorable Victoria Reznik ordered Dr. Stuart Kleinman, a psychiatrist, to examine the defendant to determine whether he can understand the nature and consequences of the proceedings against him and whether he can assist properly in his defense. Following Dr. Kleinman's examination of the defendant and further discussion with Dr. Kleinman, the Government and defense counsel engaged in additional discussions with respect to a potential disposition. Based on those discussions, the parties concluded that it would be helpful for the defendant to meet with Dr. Colley again. The defendant met with Dr. Colley, and, following that meeting, the parties have engaged in additional discussions with respect to next steps. As a result of these discussions, defense counsel are in the process of consulting with Dr. Colley further and will, when this consultation is concluded, meet again with the Government.

By the following signatures we agree and consent to the exclusion of time noted above:

Defendant's Counsel
Thomas Rotko, Esq.

05/22/2025

Date

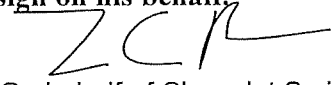
Assistant U.S. Attorney
Marcia S. Cohen

5-22-2025

Date

The defendant states that he has been fully advised by counsel of his rights guaranteed under (a) of the Sixth Amendment to the Constitution; (b) the Speedy Trial Act of 1974, as set forth in Title 18, United States Code, Sections 3161-74; and (c) the plans and rules of this Court adopted pursuant to that Act. The defendant understands that he/she has a right to be charged by indictment or information, and to have a trial before a judge or jury, within a specified time (excluding certain time periods) under the Constitution and Rules and Laws of the United States identified above. The defendant consents and agrees to the above request. **Defense counsel**


has discussed this stipulation with the defendant and has the defendant's authorization to sign on his behalf.


On behalf of Charudet Smith
Defendant
CHARUDET SMITH

05/22/2025
Date

The joint application of the United States of America and the defendant having been heard at a proceeding on the date below, the time period from **5/28/2024** to **6/25/2025** is hereby excluded in computing the time within which an indictment or information must be filed. The Court grants this continuance on the finding that the ends of justice outweigh the interests of the public and the defendant in a speedy trial, for the reasons set forth above. The Court further orders: N/A.

Dated: 5/28/25
White Plains, New York

SO ORDERED

Hon. Andrew E. Krause
United States Magistrate Judge